



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

NEW YORK REGIONAL OFFICE
3 WORLD FINANCIAL CENTER, SUITE 400
NEW YORK, NEW YORK 10281-1022

November 3, 2008

By ECF

The Honorable John Gleeson
United States District Judge
United States Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: SEC v. Kenneth Suarez, et al., 08-CV-3900 (JG)(RML)

Dear Judge Gleeson:

We represent plaintiff Securities and Exchange Commission ("Commission"), and are writing to inform the Court that the Commission takes no position with regard to the motion of the U.S. Attorney's Office to intervene and stay civil proceedings in this case.

Should the Court require anything further at this time, the undersigned can be reached at (212) 336-0037.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Burk Burnett", with a long, sweeping horizontal line extending to the right.

Burk Burnett
Attorney for Plaintiff
Securities and Exchange Commission

cc: Counsel for Defendants